

# **State of Connecticut Department of Housing**

## **Final Notice and Public Explanation of Proposed Activities in a 100-Year Floodplain and Wetland**

January 30, 2014:

To: All Interested Agencies, Groups & Individuals

This is to give notice that the State of Connecticut Department of Housing (DOH) has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management, to determine the potential affect that its activities in the floodplain and wetland will have on the human environment for Community Development Block Grant – Disaster Recovery (CDBG-DR) State of Connecticut Disaster Recovery Program activities as described below under Title I of the Housing and Community Development Act of 1974 (PL 93-383).

### **Owner Occupied and Scattered Site Rehabilitation and Rebuilding Programs**

These programs will serve 1-4 unit residential properties predominately within the floodplain, in Special Flood Hazard Areas.

### **EXP/Hurricane Sandy Business Disaster Relief Program**

The State will provide business assistance for capital expenditures to repair or replace needed equipment, lost inventory, renovate facilities that were damaged/destroyed or to provide working capital needed as a direct result of the storm.

Though the confirmation of site locations is currently in progress, the proposed projects will be located in the following four counties or the Mashantucket Pequot Indian Reservation: Fairfield County, New Haven County, Middlesex County and New London County. There are approximately 47,680.87 acres in Fairfield County; 59,200.98 acres New Haven County; 34,628.95 acres in Middlesex County; and 44,664.12 acres in New London County which is inclusive of the Mashantucket Pequot Indian Reservation of Federal Emergency Management Agency (FEMA) mapped special flood hazard areas (SFHAs). Flood Insurance Rate Maps (FIRMs) may be viewed at [www.msc.fema.gov](http://www.msc.fema.gov).

### **Reasons why the Proposed Actions Must be Located in the Floodplain**

The OORR, SSRR and EXP Programs will provide funding to repair or rebuild on previously developed parcels. These programs are designed to recover the primary and rental residences (up to 4 units), and small businesses that were damaged by Superstorm Sandy. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements. Many owners of 1-4 unit residences and small businesses (not more than 100 employees) do not have the resources to repair, reconstruct or mitigate their properties. Without financial support, the damaged properties will continue to deteriorate, which will do further harm to the communities in which the properties are located. Small businesses within the impacted counties will continue to experience loss of revenue especially during the busy summer season. Summer tourism revenues sustain coastal communities and many restaurants, lodgings, and retail establishments year-round. Many residents are dependent on seasonal and year-round employment in the tourism and hospitality industry. With program assistance, homes within the floodplain may be elevated to the highest standard for flood protection and flood-proofing of commercial buildings in the floodplain may be conducted leaving properties less vulnerable to future flooding conditions.

### **List of the Alternatives Considered**

The State of Connecticut intends to consider all activities eligible under the federal guidelines for CDBG-DR funding, and has not rejected any such activity. However, due to limited funding, some alternatives will be considered as a lesser priority than others and will only be considered if funds continue to be available after having addressed those higher priorities.

Alternative activities include: 1) Buyouts of destroyed or severely damaged 1-4 unit structures and restoration of the floodplain/wetland to its natural state: The limitation of land availability and high property values in the State will continue to encourage the reuse of land and structures in areas vulnerable to flooding. The cost of acquiring this limited resource would significantly impact the availability of funds to assist homeowners in meeting their unmet needs. This alternative will be considered only after other priorities have been met. 2) Reimbursement of rehabilitation and/or mitigation activity that has already been completed; DOH recognizes the need to return individuals and families back to their homes and get businesses back in business by addressing immediate unmet needs. To this end, providing reimbursements to homeowners and small businesses that have been able to address their own needs without immediate assistance will be considered only after other priorities have been met. 3) No-action. Homeowners and small businesses would not receive any assistance under the State of Connecticut Disaster Recovery Program Action Plan. As a result, these homeowners and small businesses may not be able to recover from the impacts of the storm events

or make preparations to mitigate future storm damage. A No-Action alternative would not address the State's need for safe, decent, and affordable housing, nor the need to restore our small business economy along the shore, and it would prevent some homes within the floodplain from being elevated to the highest standard for flood protection. Under the No Action alternative, the damage caused to the entire Connecticut shoreline would remain unabated. Hundreds of residences would not be rehabilitated and will deteriorate without the use of CDBG-DR funds.

### **Mitigation Measures to be Taken to Minimize Adverse Impacts and Preserve Natural and Beneficial Values**

Under Connecticut General Statutes (C.G.S.) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. To be eligible for OORR, SSRR or EXP funding, all new construction and substantial rehabilitation (including the placement of prefabricated buildings and manufactured homes) in Flood Hazard Areas shall meet Flood Resistant Construction requirements of the State Building Code including provisions of both the International Rehabilitation Code and the International Building Code.

1. Be designed (or modified) and anchored as to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage;
3. Be constructed by methods and practices that minimize flood damage; and
4. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed or located or both designed and located so as to prevent water from entering or accumulating within the components during floods.

No funding will be provided to any person who previously received federal flood disaster assistance conditioned on obtaining and maintaining flood insurance, but failed to obtain and maintain the insurance [24 C.F.R. 58.6 (b)].

In summary, property owners participating in these programs would be required to adhere to the following conditions to minimize the threat to property, minimize losses from flooding and high wind events, and benefit floodplain values:

1. All proposed rehabilitation, reconstruction and mitigation of substantially damaged structures in the 100-year floodplain must adhere to the most recent elevation requirements in accordance with the State of Connecticut's Flood Management Program [Sections 25-68 of the Connecticut General Statutes].

2. For all structures funded by the OORR and SSRR Programs, if in, or partially in, the 100-year floodplain shown on the latest FEMA flood maps, the assisted property owner(s) are required to maintain flood insurance for not less than five years from the date of the assistance [24 C.F.R. 58.6 (a) (1)]; for structures funded by EXP, for the term of the grant. No funding can be provided in municipalities not participating in or suspended from participation in the National Flood Insurance Program.
3. In the case of "Coastal High Hazard" areas ("V" or "VE" Zones on the latest [most recent] FEMA-issued Maps), program activities will adhere to construction standards, methods and techniques requiring a registered professional engineer to either develop, review or approve, per the associated location, specific applicant elevation plans that demonstrate the design meets the current standards for V zones in FEMA regulation 44 C.F.R. Part 60.3 (e) as required by HUD Regulation 24 C.F.R. Part 55.1 (c) (3). Therefore, the requirements of the OORR, SSRR and EXP Programs will help ensure a minimal adverse impact to the floodplain.

In accordance with the process at 24 CFR 55.20 Subpart C, DOH has reevaluated the alternatives to building in the floodplain and has made a final determination that it has no practicable alternative to locating the proposed activities in the 100-yr floodplain as summarized in this notice. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988, are available for public inspection, review and copying upon request at the times and location delineated in the last paragraph of this notice for receipt of comments. This notice hereby satisfies 24 CFR Part 55.20 (g), Step 7 of the eight-step decision process.

Written comments must be received by DOH on or before February 6, 2014. DOH encourages electronic submittal of comments at [CT.Housing.Plans@ct.gov](mailto:CT.Housing.Plans@ct.gov). In the alternative, comments may be submitted on paper to: Hermia Delaire, Program Manager, Community Development Block Grant-Disaster Recovery Program, Department of Housing, 505 Hudson Street, 2<sup>nd</sup> Floor, Hartford, CT 06106 by February 6, 2014 during the hours of 8:30 AM to 4:30 PM. Further information can be found on the Department's web site at <http://www.ct.gov/doh>

Evonne M. Klein, Commissioner, DOH